

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

JOSE LUIS FUENTES,

Defendant.

CRIMINAL ACTION
NO. 17-0320-7

ORDER

AND NOW, this 23rd day of July 2020, upon consideration of Defendant Jose Luis Fuentes's Motion to Vacate, Set Aside, or Correct Sentence Pursuant to 28 U.S.C. § 2255 (ECF No. 333), and the Government's Response (ECF No. 345), it is hereby **ORDERED** that the Motion is **DENIED** in part:

1. Claims 1 and 2 of Fuentes's Motion are **DENIED**;
2. A certificate of appealability for Claims 1 and 2 **SHALL NOT** issue; and
3. The Court will hold an evidentiary hearing at a later date on Claim 3. The Court will appoint Fuentes counsel from the CJA panel for the hearing.¹

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.

¹ Due to the COVID-19 pandemic, no evidentiary hearings may be held at this time. The Court will schedule one at the earliest opportunity.